

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LINDA K. McCRARY,
Plaintiff,

v.

GREENVILLE POLICE DEPARTMENT and
Officials,
Defendants.

§
§
§
§
§
§
§


No. 3:12-CV-00034-B

ORDER REGARDING MOTION TO PROCEED IN FORMA PAUPERIS ON APPEAL

- () The motion for leave to proceed *in forma pauperis* on appeal is GRANTED. 28 U.S.C. § 1915.
- (X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:
- () The plaintiff is not a pauper.
- () The plaintiff has not complied with the requirements of 28 U.S.C. § 1915(a)(1) or (a)(2).
- (X) Pursuant to 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the court certifies that the appeal is not taken in good faith. In support of this finding, the court adopts and incorporates by reference the Magistrate Judge's Findings and Recommendation entered in this case on January 21, 2003. Based on the Magistrate Judge's findings, this Court finds that the appeal presents no legal points of arguable merit and is therefore frivolous.

Although this court has certified that the appeal is not taken in good faith under 28 U.S. C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the plaintiff may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.

SO ORDERED this 12th day of September, 2012.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

